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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314				TSAI, TSUNG YIN
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KEN IIZUKA

Appeal 2009-011136
Application 10/768,088
Technology Center 2600

Decided: March 24, 2010

Before CARLA M. KRIVAK, ELENI MANTIS MERCADER, and
CARL W. WHITEHEAD, JR., *Administrative Patent Judges*.

KRIVAK, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134(a) from a final rejection of claims 1-25. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

STATEMENT OF THE CASE

Appellant's claimed invention is an image matching system and method that matches two images based on, for example, fingerprint images, even if there is a difference in parallel movement, rotation angle, and scale (Spec. 1:7-10; Abstract).

Independent claim 1, reproduced below, is representative of the subject matter on appeal.

Claim 1: An image matching system for matching a first image and a second image, comprising:

 a correction information generating means for performing a Fourier transform and a log-polar coordinate transform to said first image and said second image and generating correction information of said first image based on the results of said Fourier transform and log-polar coordinate transform; and

 a matching means for performing processing of correction of said first image based on said correction information generated by said correction information generating means to generate a corrected first image, performing a correlation comparison between said corrected first image and said second image, and determining if the corrected first image matches the second image based on results of said correlation processing.

REFERENCES

Wendt	US 2002/0090109 A1	Jul. 11, 2002
Oosawa	US 2003/0039405 A1	Feb. 27, 2003 (filed Aug. 27, 2002)

The Examiner rejected claims 1-6, 9-14, 17-22, and 25 under 35 U.S.C. § 102(b) based upon the teachings of Wendt.

The Examiner rejected claims 7, 8, 15, 16, 23, and 24 under 35 U.S.C. § 103(a) based upon the teachings of Wendt and Oosawa.

The Examiner finds Wendt teaches all the features of claims 1, 9, 17, and 25, particularly including correction information generating means for generating correction information using a Fourier transform and a log-polar coordinate transform, and matching means for processing the correction information and determining whether a corrected first image matches a second image based on correlation processing (Ans. 3-6). The Examiner also finds Wendt's paragraph [0033] teaches applying correction data, such as resize, position, and rotation, to an image for matching (Ans. 32).

Appellant contends Wendt does not teach performing a correlation comparison between a corrected first image and a second image, and determining if the corrected first image matches the second image based on results of correlation processing (App. Br. 5-6; Reply Br. 2). Rather, Appellant asserts, Wendt teaches comparing a first preselected pattern of data to reference information, calculating a deviation, and then reading a desired message of a second preselected pattern of data using the calculated deviation information (Reply Br. 2; Wendt ¶ [0033]). That is, Wendt detects a deviation (difference) and uses that difference to read out information, which is a message in a second image. Neither the first preselected pattern of data nor the second preselected pattern of data is corrected. Further, as Appellant asserts, even if the first preselected pattern of data were corrected, Wendt does not teach comparing the two; rather, the first preselected pattern of data is compared to information stored in memory, a deviation is detected, and then a desired message of the second preselected pattern of data is detected (App. Br. 7; Wendt ¶¶ [0023], [0033]).

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Because Wendt does not teach all of the features recited in the claims, Wendt does not anticipate claims 1-6, 9-14, 17-22, and 25.

Because Oosawa does not cure the deficiencies of Wendt, claims 7, 8, 15, 16, 23, and 24 are not obvious over this combination.

CONCLUSION

Claims 1-6, 9-14, 17-22, and 25 are not anticipated under 35 U.S.C. § 102(b).

Claims 7, 8, 15, 16, 23, and 24 are not obvious under 35 U.S.C. § 103(a).

DECISION

The Examiner's decision rejecting claims 1-25 is reversed.

REVERSED

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